

From: Nick Wuertz [nwuertz@creststep.com]
Sent: Tuesday, March 15, 2011 1:25 PM
To: SHOEMAKER, WILLIAM R
Cc: Andrew Etter
Subject: RE: Barge DS-51

Dear Mr. Shoemaker:

First, we draw your attention to the fixture recap to the ASBATANKVOY c/p include Port Arthur, Texas as an appropriate discharge location. Also, please note that Crest Energy Partners, L.P. has timely nominated the Fina anchorage in Port Arthur, Texas for lightering operations/discharge. As you know, the safe berth clause in the c/p allows for lightering. Further, this anchorage location is the traditional area in Port Arthur, Texas where lightering operations are conducted. Pursuant to the safe berth clause in the c/p, Crest Energy Partners, L.P. assumes the risk and expense of conducting any lightering operation. If Sunoco refuses to allow discharge, Crest Energy Partners, L.P. will have no alternative but to consider that Sunoco has frustrated the purpose of the charter party agreement by prohibiting the discharge via lightering.

Additionally, the charter party agreement does not require any vetting of the lightering barges. Via e-mail Sunoco has given the sole reason for refusing to discharge as the lightering barges' failure to vette according to Sunoco's internal policies and procedures. These e-mails appear to contrast with the safe berth requirement being stated in subsequent communications. As Crest Energy Partners, L.P. has assumed all the risk and expense of the lightering operations and has designated a historically safe berth, the expectation is that Sunoco will honor its charter party agreement and lighter the barges in a prompt manner and in accordance with the terms of the agreement. We look forward to your response so that we may act accordingly.

Best regards,

Nick Wuertz
Crest Energy Partners, L.P.
(713)476-9900 office
(832)545-6904 cell
Nick_wuertz IM
nwuertz@creststep.com

From: SHOEMAKER, WILLIAM R [<mailto:WRSHOEMAKER@sunocoinc.com>]
Sent: Tuesday, March 15, 2011 10:30 AM
To: 'Andrew Etter'; Nick Wuertz
Cc: CORRIGAN, WILLIAM G; DESIMONE, MARGARET A
Subject: RE: Barge DS-51

Please note that Owners are in no way "prohibiting" discharge for "reasons other then (sic) those contained in the governing C/P" - Under the terms of the C/P, Charterers are obliged to provide a safe berth for discharge and as Charterer has so far failed to nominate a safe berth, Owner rejects any liability whatsoever for any and all alleged damages per Charterer's foregoing note.

CREST EXHIBIT "E"

From: Andrew Etter [\[mailto:aetter@soundtanker.com\]](mailto:aetter@soundtanker.com)

Sent: Tuesday, March 15, 2011 11:20 AM

To: SHOEMAKER, WILLIAM R; Nick Wuertz

Cc: CORRIGAN, WILLIAM G

Subject: RE: Barge DS-51

Importance: High

To: Sunoco

Attn:: Mr. Bill Shoemaker

Charts advise following:

QT

Charts advise barges MC1 and AO432 are presently ready to load. After the lab analysis is completed they expect to load without delay. If owner prohibits charts from discharging for reasons other than those contained in the governing C/P charters they will hold owners responsible for any and all damages including lost profits.

UNQT

Best Regards,

Andrew Etter

Soundtanker Chartering Houston

Phone: 713-843-7760

Mobile: 516-662-1610

Home: 713-640-5891

Yahoo: ajetter2003

From: SHOEMAKER, WILLIAM R [\[mailto:WRSHOEMAKER@sunocoinc.com\]](mailto:WRSHOEMAKER@sunocoinc.com)

Sent: Tuesday, March 15, 2011 07:40

To: 'Nick Wuertz'; Andrew Etter

Cc: CORRIGAN, WILLIAM G

Subject: RE: Barge DS-51

Nick:

[Full style for agents at Nederland](#)

Jeania Embrey

Port Manager, Beaumont, Texas

GAC Shipping (USA) Inc.
2901 Turtle Creek Dr.
Suite #417
Port Arthur, TX 77642
USA

"As Agents Only"

Tel: +1 409-727-3909 (24 hour)
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Web Site: www.gac.com

From: Nick Wuertz [\[mailto:nwuertz@crestep.com\]](mailto:nwuertz@crestep.com)
Sent: Monday, March 14, 2011 5:26 PM
To: SHOEMAKER, WILLIAM R; Andrew Etter
Cc: CORRIGAN, WILLIAM G
Subject: RE: Barge DS-51
Importance: High

Bill,

Any update on the MC1? We also have not been advised of vessel agent and require a point of contact to have the cargo inspected. Please also send over the GT&Cs that apply to this movement as mentioned to Crest' representative. We have not been presented with any GT&Cs to this point.

Best regards,

Nick Wuertz
Crest Energy Partners, L.P.
(713)476-9900 office
(832)545-6904 cell
Nick_wuertz IM
nwuertz@crestep.com

From: SHOEMAKER, WILLIAM R [\[mailto:WRSHOEMAKER@sunocoilnc.com\]](mailto:WRSHOEMAKER@sunocoilnc.com)
Sent: Monday, March 14, 2011 3:25 PM
To: Andrew Etter; Nick Wuertz
Cc: CORRIGAN, WILLIAM G
Subject: Barge DS-51

Gents:

For the sake of good order, this is to confirm that Sunoco has received Crest Energy's payment covering freight for subject barge.

In the meantime, Sunoco's vetting group is working on barge "Marine Clean One" and we will revert ASAP.

Thanks and best regards,

Bill Shoemaker
Sunoco Marine Operations
Sunoco, Inc (R&M)
10 Industrial Highway
Bldg G, MS4
Lester, PA 19029
Ph.: 610-833-3440
Fx.: 877-520-2406
Mb.: 610-213-3695
Em.: wrshoemaker@sunocoinc.com

From: [Paxton N. Crew](#)
To: [Paxton N. Crew](#)
Subject: FW: DS 51 Severn
Date: Wednesday, March 16, 2011 1:33:25 PM

From: CORRIGAN, WILLIAM G [mailto:WGCORRIGAN@sunocoinc.com]
Sent: Monday, March 07, 2011 1:37 PM
To: Andrew Etter; Nick Wuertz
Subject: FW: DS 51 Severn

[FYI see below response from my vetting group](#)

From: VETTING
Sent: Monday, March 07, 2011 2:33 PM
To: CORRIGAN, WILLIAM G; VETTING; NESBITT, MICHAEL P
Subject: RE: DS 51 Severn

[Will,](#)

[MOC VII - 1975 - 36 Y.O. unacceptable](#)
[AO 432 - 1974 - 37 Y.O. - unacceptable](#)

[MOC 11 - 1980 - unacceptable, except can be accepted if on Freshwater Inspection schedule and has documented more than 50% of last 12months in freshwater.](#)

[Nick](#)

Captain Nicholas Grassia
Sunoco Marine Quality & Operational Assurance
Vetting Specialist

From: CORRIGAN, WILLIAM G
Sent: Monday, March 07, 2011 2:11 PM
To: GRASSIA, NICHOLAS J; VETTING; NESBITT, MICHAEL P
Subject: FW: DS 51 Severn

Gentlemen,

We out chartered the DS-51 to Crest Energy Partners. The want to reverse lighter

the barge to the below three barges. Unfortunately the MOC 11 and the AO 432 are not in the vetting system. I saw the MOC 7 was over 30 years old so I assume it will fail but just wanted to make sure.

Thanks,

Best Regards,

(NOTE NEW OFFICE # & ADDRESS Below)

Will Corrigan
VGO & Resid Scheduler

Sunoco Inc. (R&M)
10 Industrial Highway
BLDG G (3rd Floor)
Lester, PA 19029
Office: 610-833-3443
Mobile: 516-459-1284
E-mail: WGCorrigan@sunocoinc.com

From: Nick Wuertz [mailto:nwuertz@crestep.com]
Sent: Monday, March 07, 2011 12:44 PM
To: CORRIGAN, WILLIAM G; Andrew Etter; Jacob Feldman
Subject: RE: DS 51 Severn

We plan on using the Moc 7 and Moc 11 from Third Coast towing as well as the AO432 from Accumarine. Please verify if they are approved.

Best regards,

Nick Wuertz
Crest Energy Partners, L.P.
(713)476-9900 office
(832)545-6904 cell
Nick_wuertz IM
nwuertz@crestep.com

From: CORRIGAN, WILLIAM G [mailto:WGCRORRIGAN@sunocoinc.com]
Sent: Monday, March 07, 2011 10:16 AM
To: Nick Wuertz; Andrew Etter; Jacob Feldman
Subject: RE: DS 51 Severn

Is this a reverse lighterage or is it a buoy/floating pipeline?

From: Nick Wuertz [mailto:nwuertz@crestep.com]
Sent: Monday, March 07, 2011 11:12 AM
To: CORRIGAN, WILLIAM G; Andrew Etter; Jacob Feldman
Subject: RE: DS 51 Severn

Does the barge have the ability to discharge at A4 Anchorage in Lake Charles, La?

Best regards,

Nick Wuertz
Crest Energy Partners, L.P.
(713)476-9900 office
(832)545-6904 cell
Nick_wuertz IM
nwuertz@crestep.com

From: CORRIGAN, WILLIAM G [mailto:WGCRORRIGAN@sunocoinc.com]
Sent: Monday, March 07, 2011 9:52 AM
To: Andrew Etter; Jacob Feldman; Nick Wuertz
Subject: RE: DS 51 Severn

Have we confirmed discharge location is Port Arthur?